

STAND. COM. REP. NO. 2355

Honolulu, Hawaii

FEB 13 2014

RE: S.B. No. 2901
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2014
State of Hawaii

Madam:

Your Committee on Transportation and International Affairs,
to which was referred S.B. No. 2901 entitled:

"A BILL FOR AN ACT RELATING TO MOTOR CARRIER SAFETY,"

begs leave to report as follows:

The purpose and intent of this measure is to amend or delete any statutes or provisions containing federal requirements that are currently addressed in Hawaii Administrative Rules or otherwise deemed unnecessary.

Your Committee received testimony in support of this measure from the Department of Transportation and the Hawaii Transportation Association.

Your Committee finds that serious financial penalties can be incurred when a state does not comply with certain federal motor carrier safety regulations. Adopting these regulations by reference in administrative rules is expedient and ensures exact compliance. When placing these regulations in the Hawaii Revised Statutes, there is a possibility for noncompliance to result when numerous legislative measures are drafted and enacted. To ensure exact compliance and avoid the possibility of a contradiction between rules and statutes, the Department recommends deleting statutes and provisions of the statutes whenever they are addressed in administrative rules or otherwise deemed unnecessary.

Your Committee has amended this measure by:

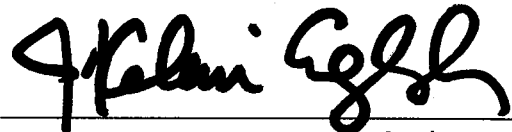
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- (1) On the recommendation of the Department of Transportation to bring the State into compliance as soon as possible with federal mandates, retaining section 286-202.6, Hawaii Revised Statutes, and making amendments to subsection (a) to conform to federal regulations; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Transportation and International Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2901, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2901, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Transportation and
International Affairs,




J. KALANI ENGLISH, Chair



The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Transportation and International Affairs
TIA

Bill / Resolution No.:*	Committee Referral:	Date:
SB 2901	TIA	02-11-14
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____		
The Recommendation is:		
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313		
Members	Aye	Aye (WR)
Nay	Excused	
ENGLISH, J. Kalani (C)	/	
DELA CRUZ, Donovan M. (VC)	/	
ESPERO, Will	/	
GABBARD, Mike		/
KAHELE, Gilbert	/	
KEITH-AGARAN, Gilbert S.C.	/	
KOUCHI, Ronald D.		/
SOLOMON, Malama	/	
SLOM, Sam	/	
TOTAL	7	2
Recommendation:		
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted		
Chair's or Designee's Signature:		
		
Distribution:		
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency
		Goldenrod Committee File Copy

*Only one measure per Record of Votes